

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

BENARD MCKINLEY, #R-30033,)	
)	
Plaintiff,)	
)	
-vs-)	No. 16-cv-00661-MJR-SCW
)	
MICHAEL ATCHISON, et al.,)	
)	
Defendants.)	

**DEFENDANT SCHOENBECK'S RESPONSES TO
PLAINTIFF'S REQUEST FOR ADMISSIONS**

The Defendant, JOSHUA SCHOENBECK, by and through his attorney, LISA MADIGAN, Attorney General of the State of Illinois, provides the following responses to Plaintiff's requests for admissions pursuant to Federal Rule 36:

1. I Joshua Schoenbeck admit that I played a partial role in mckinley being initially placed in menard Administrative detention program on October 25, 2012.

ANSWER: Defendant admits he was consulted regarding Plaintiff and responded with information in his possession to the warden on or about October 25, 2012.

2. I Joshua Schoenbeck admit between October 2012 and December 2014 I WAS an intelligence officer at menard correctional center which involved monitoring and recording security threat group activity throughout the institution as a whole.

ANSWER: Defendant admits working as a Correctional Officer assigned to the Intelligence Unit at Menard Correctional Center between October 2012 and December 2014. Defendant admits his job duties as an intelligence officer included monitoring and recording security threat group activity throughout the institution.

3. I Joshua Schoenbeck admit that while mckinley was in menard Administrative detention program while I WAS a administrative detention committee member I did not have any evidence of mckinley being involve in STG (Security Threat group) activity, whereas, I understand Administrative detention to function as a barrier to such activity.

ANSWER: Defendant denies Plaintiff did not attempt to participate in Security Threat Group activity while placed in Administrative Detention.

4. I Joshua Schoenbeck admit to the extent I was involved, I joined the menard Administrative detention committee recommendation to keep mckinley in Administrative detention until January 1, 2015 when I was no longer part of the administrative detention review committee.

ANSWER: Defendant admits joining recommendations to keep Plaintiff placed in Administrative Detention when participating in the Administrative Detention Review Committee. Defendant admits that on January 1, 2015 he was no longer on the Administrative Detention Review Committee.

5. I Joshua Schoenbeck admits that correctional staff from Intelligence would have provided information to the warden prior to an inmate's placement in administrative detention that recommendation would have been supported by information gathered by intelligence.

ANSWER: Defendant admits staff from the Intelligence Unit present information to the warden prior to an inmate's initial placement in Administrative Detention, which may be used to support a recommendation for placement.

6. I Joshua Schoenbeck admits that mckinley placement in menard Administrative detention was supported by information deemed to be sufficiently reliable and credible to merit his placement.

ANSWER: Defendant admits that to the extent Defendant was involved in Plaintiff's placement in Administrative Detention, Plaintiff's placement was supported by information sufficiently reliable and credible to merit Plaintiff's placement.

7. I Joshua Schoenbeck admits mckinley was not afforded administrative detention due process rights prior to his October 25, 2012 initial placement in menard Administrative detention by menard Administration to merit his placement.

8. I Joshua Schoenbeck admits ...

ANSWER: Defendant denies violating Plaintiff's rights in any way and denies Plaintiff's placement in Administrative Detention violated Plaintiff's due process rights.

8. I Joshua Schoenbeck admits Illinois Department of Correction Administrative detention phase program was first established in April 2014 by Administrative directive 05-12-101 for Menard Correctional Center to implement in their institution.

ANSWER: Defendant denies the Administrative Detention phase program was first established in April 2014 at Menard Correctional Center.

9. I Joshua Schoenbeck admits that Illinois Department of Correction employees are to follow the Institutional rules, regulation, directives, and state and federal laws which relate to their employment in the Illinois Department of Corrections

ANSWER: Defendant admits IDOC employees are to follow facility requirements as well as state and federal laws during the course of their employment with the IDOC.

10. I Joshua Schoenbeck admits between October 25, 2012 and December 31, 2014 during my time as an Intelligence Officer I was assigned to Menard Correctional Center Administrative detention committee and Administrative detention housing units which involved me monitoring the Administrative detention inmates at the institution.

ANSWER: Defendant denies being assigned to a housing unit between October 25, 2012 and December 31, 2014. Defendant admits involvement in investigations throughout the facility, including Administrative Detention housing units. Defendant admits providing information to the Administrative Detention Review Committee upon request and participating in recommendations regarding inmates.

Respectfully submitted,

JOSHUA SCHOENBECK,

Defendant,

LISA MADIGAN, Attorney General,
State of Illinois

Attorney for Defendants,

Max Boose, #6320334
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By: s/ Max Boose
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Assistant Attorney General

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS DIVISION**

BENARD MCKINLEY, #R-30033,)	
)	
Plaintiff,)	
)	
-vs-)	No. 16-cv-00661-MJR-SCW
)	
MICHAEL ATCHISON, et al.,)	
)	
Defendants.)	

CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2018, the foregoing *Defendant Schoenbeck's Responses to Plaintiff's Request for Admissions* was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

NONE

and I hereby certify that on the same date, I caused a copy of the foregoing document to be mailed by United States Postal Service, in an envelope properly addressed and fully prepaid, to the following non-registered participant:

Benard McKinley, R30033
Stateville Correctional Center
Inmate Mail/Parcel
Route 53, PO Box 112
Joliet, IL 60434

Respectfully submitted,

/s Max Boose

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